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PATENT



AVERP3302USB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In reapplication of:

Kevin O. Henderson : Group No: 1773  
Serial No: 10/606,461 : Examiner: D. L. Tarazano  
Filed: June 26, 2003 : Confirmation No: 3494  
For: **MACHINE DIRECTION ORIENTED POLYMERIC FILMS AND METHODS OF MAKING THE SAME**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed April 5, 2006 finally rejecting claims 39-40, 45, 63-72 and 87-88.

**1. STATUS OF APPLICANT**

This application is on behalf of

- other than a small entity  
 small entity

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**CERTIFICATE OF MAILING (37 CFR 1.8(a))**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Denise G. Bachtel

(Type or print name of person mailing paper)

Denise G. Bachtel

(Signature of person mailing paper)

Date: July 5, 2006

## **2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 CFR 1.17(e) the fee for filing the Notice of Appeal is:

[ ] small entity \$250.00

[X] other than a small entity \$500.00

Notice of Appeal fee due \$500.00

## **3. EXTENSION OF TERM**

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- (a) [ ] Applicant petitions for an extension of time under 37 CFR 1.17(a)-(d) for the total number of months checked below:

| <b>Extension<br/>(months)</b> | <b>Fee for other than<br/>small entity</b> | <b>Fee for<br/>small entity</b> |
|-------------------------------|--|---------------------------------|
| [ ] one month                 | \$ 120.00                                  | \$ 60.00                        |
| [ ] two months                | \$ 450.00                                  | \$225.00                        |
| [ ] three months              | \$1,020.00                                 | \$510.00                        |
| [ ] four months               | \$1,590.00                                 | \$795.00                        |

Fee \_\_\_\_\_

If an additional extension of time is required please consider this a petition therefor.

- [ ] An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$\_\_\_\_\_

or

- (b) [ ] Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time.

#### **4. TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee \$500.00

Extension fee (if any) \_\_\_\_\_

**TOTAL FEE DUE \$500.00**

#### **5. FEE PAYMENT**

- Payment by credit card in the sum of \$500.00. Form PTO-2038 is attached.
- Attached is a check in the sum of \$\_\_\_\_\_
- Charge Account No. \_\_\_\_\_ the sum of \$\_\_\_\_\_  
A duplicate of this transmittal is attached.

#### **6. FEE DEFICIENCY**

- If any additional extension and/or fee is required charge Account No. 18-0988.

AND/OR

- If any additional fee for claims is required, charge Account No. 18-0988.

Heidi A. Boehlefeld  
SIGNATURE OF ATTORNEY

Reg. No.: 34,296

Heidi A. Boehlefeld  
Type or print name of attorney

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